

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P18653PC00		FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/NO2004/000196		International filing date (day/month/year) 29.06.2004	Priority date (day/month/year) 30.06.2003	
International Patent Classification (IPC) or national classification and IPC B66F9/18				
Applicant UGLAND & LAUDVAL AS et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input checked="" type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 29.04.2005		Date of completion of this report 29.09.2005		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Masset, M Telephone No. +49 89 2399-2430 		

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**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/NO2004/000196

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-6 as originally filed

Claims, Numbers

1-9 received on 13.05.2005 with letter of 12.05.2005

Drawings, Sheets

1/3-3/3 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-9
	No: Claims	
Inventive step (IS)	Yes: Claims	1-9
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Closest prior art:

The document US-A-6 024 529 (D1) discloses (fig. 1 and 4):

A device for mounting on an implement carrier (31) wherein the device comprises

- a carrier part (21,21') which is mounted on the implement carrier (31) preferably by the carrier part being in the form of a sleeve which is inserted on the implement carrier's fork structure (30), and
- a holding part (8,9,12) which is attached to the carrier part (21,21'), the holding part being provided with at least one securing device (1,2) with characteristics that make it possible to secure an object (33) by contact between at least one of the object's surfaces and the securing device (1, 2),
- a trigger (20) that ensures that the forces acting between the object's surface and the securing device are broken or discontinued, thus releasing the object.

The subject-matter according to claim 1 differs from D1 in the way, that the object that has to be moved is released by a physical movement of the trigger acting on the object.

Problem:

The objective problem is to provide a carrier having a trigger acting by a movement on the object to be released.

Solution:

According to claim 1 to problem is solved in that the trigger (3) is a guide part (3) which is rotatably mounted in the holding part (6), where on being rotated the guide part (3) pushes the object away from the securing device (1) to a distance which is sufficient for the forces between the object and the securing device (1) to decrease and the object to be released from the holding device (6).

This solution is neither known from, nor rendered obvious by, the available prior art.

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Re Item VII

Certain defects in the international application

If the applicant files a new set of claims which should overcome the objections set out above, it is pointed out to take into consideration the following requirements:

1. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.
2. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
3. The description is not in conformity with the new set of claims filed with the letter of 12.05.2005 (Rule 5.1 a) iii) PCT). Care should be taken during revision, especially of the introductory portion and any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Article 34(2) PCT).

Re Item VIII

Certain observations on the international application

4. The application does not meet the requirements of Article 6 PCT, because claims 1 does contain only the vage designation "A device for" of the subject-matter of the invention.
5. The vague and imprecise statement in the description on page 6, last paragraph, implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity of the claims (Article 6 PCT) when used to interpret them.

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6. With reference to claim 1:
Claim 1 does not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined. Claim 1 attempts to define by the term "with characteristics that make it possible to.." the subject-matter in terms of the result to be achieved which merely amounts to a statement of the underlying problem. The technical features necessary for achieving this result should be added.
7. With reference to claim 2:
Claim 2 not only defines the entity, the carrier, itself but also specifies its relationship to a second entity, the object that has to be moved, which is not part of the claimed carrier and therefor claim 2 does not fall within the scope of the invention (Article 6 PCT).

CLAIMS

1. A device for mounting on an implement carrier such as a fork lift truck, hoisting crane or the like in order to move, hold or lift an object, wherein the device comprises
- 5 - a carrier part which is mounted on the implement carrier preferably by the carrier part being in the form of a sleeve which is inserted on the implement carrier's fork structure, and
- 10 - a holding part which is attached to the carrier part, the holding part being provided with at least one securing device with characteristics that make it possible to secure an object by contact between at least one of the object's surfaces and the securing device,
- 15 - a trigger that ensures that the forces acting between the object's surface and the securing device are broken or discontinued, thus releasing the object,
- characterised in that the trigger is a guide part which is rotatably mounted in the holding part, where on being rotated the guide part pushes the object away from the securing device to a distance which is sufficient for the forces between the object and the securing device to decrease and the object to be released from the holding device.
- 20 2. A device according to claim 1, characterised in that the object that has to be moved, held or lifted is an object with a surface where at least some portions are smooth or an object composed of thin metal sheets, for example of the white goods type.
- 25 3. A device according to claim 1, characterised in that the securing device is one or more electromagnets (1) or permanent magnets (1).
4. A device according to claim 1, characterised in that the securing device is suction cups or similar
- 30 devices that can create negative pressure.
5. A device according to claim 1, characterised in that the fork can be telescoped and that there is a fixed connection between a stationary part of the fork and the guide part, so that the guide part will be rotated when the fork is fully extended
- 35 telescopically.
6. A device according to claim 1, characterised in that the trigger interrupts the voltage to the

electromagnet or causes the negative pressure to be discontinued, thus releasing the object.

- 5
7. A device according to claim 1,
characterised in that the trigger is operated manually or by means of an
actuator.
8. A device according to claim 1,
characterised in that one or more supporting edges are permanently or
removably mounted in the lower edge of the holding part.
- 10
9. A device according to claim 1,
characterised in that the holding part is oriented substantially vertically
relative to the carrier part and/or that the holding part is mounted
rotatably or preferably hingedly on the carrier part, thus enabling the
holding part to be moved to another desired position and fixed in this
new position.
- 15